

REMARKS

This Reissue Application has been carefully reviewed in light of the Final Action issued December 2, 2009. Claims 1-14 and 26 are currently pending in this Reissue Application. Claims 15-25, 27, and 28 have been canceled. Claims 29-87 added during prosecution of this Reissue Application have been canceled. Applicant respectfully requests reconsideration and favorable action in this Reissue Application.

No additional amendments have been made to the claims. The amendments to the claims shown herein are relative to the patent being reissued pursuant to 37 C.F.R. §1.173(d) and were made in previous responses during examination of this Reissue Application.

Claims 1-14 and 26 stand rejected under 35 U.S.C. §251 and 37 C.F.R. §1.175(b) due to a defective reissue declaration. The Examiner indicated that the error identified in the original declaration is no longer corrected. The Examiner requested that a proper error that has been corrected under the reissue be identified. Attached herewith is a Revised Supplemental Declaration for Reissue Patent Application identifying an error with respect to statutory subject matter under 35 U.S.C. §101 not covered by the prior declaration and arising without any deceptive intent on the part of the Applicant has been corrected in the present Reissue Application. Therefore, Applicant respectfully submits that the Supplemental Reissue Declaration for Reissue Patent Application is in compliance with 37 C.F.R. §1.175(b) and 35 U.S.C. §251. As a result, Claims 1-14 and 26 are in condition for allowance.

Applicant respectfully requests a two month extension of time for filing this Response to Examiner's Action. Attached herewith is a Notification of Extension of Time in support thereof.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of Claims 1-14 and 26.

The Commissioner is hereby authorized to charge any fees or credit any overpayments associated with this Application to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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